S.B.Cr.Misc. II Bail App. No. 5009/2007
(Shaitan Ram Vs. State of Rajasthan)

Date of order : 23/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. P.R.Choudhary for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

This is second bail application.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers.

It is contended by learned counsel for the petitioner that co-accused Dinaram who alleged to have inflicted repeated sword injuries on the skull of the injured Om Prakash and co-accused Pata Ram who was armed with a gun as also other two co-accused Mansha Ram and Baldev Ram whose case is similar to that of the present petitioner as these two co-accused were armed with lathi, have already been granted bail by a co-ordinate Bench of this Court vide order dated 06.08.2007. There is no specific allegation against the present petitioner causing any injury, at least the head injuries have not been assigned to the present petitioner which have been assigned to co-accused Dinaram.

Looking to the facts and circumstances of the case and the fact that similarly situated co-accused have already been granted bail, having considered the oral arguments advanced by both the parties, I

think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Shaitan Ram S/o Mangilal be released on bail in CR No. 224/2007 P.S. Nagaur, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP